

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IVONNE GUERRERO, et al.,
Plaintiffs,
v.
COUNTY OF SAN BENITO, et al.,
Defendants.

Case No.: C 08-0307 PVT

**INTERIM ORDER RE MOTION TO
APPROVE SETTLEMENT AND MINORS'
COMPROMISE**

On April 21, 2010, Plaintiffs filed a Motion to Approve Settlement and Minors' Compromise. Based on the moving papers and the file herein,

IT IS HEREBY ORDERED that, no later than May 14, 2010, Plaintiffs shall file a supplemental brief that states the age of each minor and proposes an appropriate disposition of each minor's share of the settlement proceeds pursuant to California Probate Code section 3611(a), (b) or (g), along with a proposed form of order that has been revised accordingly. As drafted, the proposed order appears to authorize distribution of the minors' shares of the settlement proceeds directly to the minors and/or their mother,¹ which is not authorized under California law for minors' compromises

¹ Although the mother has been appointed guardian ad litem for her children, she has not been appointed guardian of her children's estates. Appointment of a guardian of a minor's estate requires the court to make a factual determination regarding, among other things, the proposed guardian's ability to manage and to preserve the estate. *See* CAL.PROB.CODE § 1514(a), (c) & (e).

1 in excess of \$20,000. *See* CAL.PROB.CODE § 3611.

2 IT IS FURTHER ORDERED that all trial and pretrial dates are VACATED, and the matter
3 shall be placed on the dismissal calendar for 2:00 p.m. on June 22, 2010.

4 Dated: 4/22/10

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6 PATRICIA V. TRUMBULL
7 United States Magistrate Judge
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